



# राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

खण्ड 18]

शिमला, शनिवार, 5 सितम्बर, 1970/14 भाद्रपद, 1892

[संख्या 31]

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5 सितम्बर, 1970/14 भाद्रपद, 1892 को समाप्त होने वाले सप्ताह में निम्नलिखित विज्ञप्तियाँ 'असाधारण राजपत्र, हिमाचल प्रदेश' में प्रकाशित हुईः

विज्ञप्ति की संख्या	विभाग का नाम	विषय
No. 14-7/66-Home, dated the 13th August, 1970.	Home Department	Authorising the carrying out of field firing and artillery practice by the Army authorities.
No. 6-4/69-Elec., dated the 18th August, 1970.	Election Department	Publication of the Election Commission of India's notification No. 56/70-IX, dated the 29th July, 1970.
No. 1-8/70-LSG, dated the 31st August, 1970.	Local Self Government Department	Rules Regulating the Construction and Maintenance of Public Latrines and Urinals by the Municipalities in Himachal Pradesh.
No. 1-5/70-LSG, dated the 31st August, 1970.	-do-	The Himachal Pradesh Municipalities (Making of Compost) Rules, 1970.
No. 2-1/69-LSG, dated the 1st September, 1970.	-do-	Appointing and constituting the Simla Municipal Corporation.

**भाग १—वैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के उप-राज्यपाल और हिमाचल बैच आफ देहली हाई कोर्ट द्वारा अधिसूचनाएं इत्यादि**

**हिमाचल प्रदेश सरकार  
AGRICULTURE DEPARTMENT  
NOTIFICATION**  
*Simla-4, the 31st August, 1970*

No. 23-9/69-Agr. (Sectt.). The Administrator (Lieutenant Governor), Himachal Pradesh with the prior agreement of the Union Public Service Commission, obtained vide their letter No. F. 5/24(174)/69-AI(AIV), dated the 27th June, 1970 is pleased to order the continuance of *ad hoc* appointment of Shri B. C. Pandey to the post of Assistant Soil Conservation Officer, (Execution) and Assistant Soil Conservation Officer, Palampur/Una in the scale of Rs. 250-25-550/25-750 with effect from 13th March, 1970 to 31st December, 1970 or till the later post is filled on regular basis, whichever is earlier.

K. R. SHANDIL,  
*Under Secretary.*

**EXCISE AND TAXATION DEPARTMENT  
NOTIFICATIONS**

*Simla-2, the 27th August, 1970*

No. 21-5/70-E&T.—In exercise of the powers conferred by section 12(3) of the Himachal Pradesh Entertainment Duty Act, 1968 and all other powers enabling him in this behalf, the Lieutenant Governor (Administrator), Himachal Pradesh is pleased to grant exemption from liability to pay entertainment duty on the exhibition of the Film 'NANAK NAM JAHAJ HAI' for a period of two weeks only with effect from the date of first release of the film after the issue of the notification in any cinema house of any town in the Himachal Pradesh.

The exemption is subject to the condition that the rates of the admission to the cinema for various classes shall continue to remain the same as prevalent just before this exemption less the entertainment tax and the date of the release shall be notified in advance.

*Simla-2, the 28th August, 1970*

No. 21-5/70-E&T.—In exercise of the powers conferred by section 12(3) of the Himachal Pradesh Entertainment Duty Act, 1968 and all other powers enabling him in this behalf the Lieutenant Governor (Administrator), Himachal Pradesh is pleased to grant exemption from the liability to pay entertainment duty on the exhibition of the Film 'JHANDA UNCHA RAHE HAMARA' for a period of two weeks with effect from date of first screening in any cinema house of any town in Himachal Pradesh.

2. The exemption is subject to the condition that the rates of admission to the cinemas for various classes shall continue to remain the same as prevalent just before this exemption less the entertainment tax and the date of release shall be notified in advance by the cinema proprietors.

By order,  
U. N. SHARMA,  
*Secretary.*

**FOREST DEPARTMENT  
NOTIFICATION**

*Simla-4, the 29th February, 1970*

No. 1-86/69-SF(Estt.).—On the recommendations of the Departmental Promotion Committee the Administrator (Lieutenant Governor), Himachal Pradesh is

pleased to confirm Shri K. L. Mehta, as Wild Life Warden, with effect from 31-5-1966 (Class II Gazetted) in the scale of Rs. 250-25-550/25-750 in the Forest Department.

P. K. MATTIO,  
*Secretary.*

**GENERAL ADMINISTRATION DEPARTMENT  
ADDENDUM**

*Simla-2, the 27th August, 1970*

No. 11-40/67-GAD.I.—In this Department notification of even number dated the 24th March, 1969, re-constituting the Himachal Pradesh State Soldiers', Sailors' and Airmen's Board, the Presidents (Deputy Commissioners) of all the District Soldiers', Sailors' and Airmen's Boards in Himachal Pradesh are nominated as official members of the said Board.

K. N. CHANNA,  
*Chief Secretary.*

**INDUSTRIES DEPARTMENT  
NOTIFICATION**

*Simla-4, the 25th August, 1970*

No. 1-80/69-SI(Estt.).—In continuation of this Department's notification bearing even number dated the 10th March, 1970 the Lieutenant Governor, (Administrator), Himachal Pradesh, in consultation with the Union Public Service Commission is pleased to accord sanction to the continued *ad hoc* appointment of the undermentioned officers to the post of District Industries Officer in the pay scale of Rs. 250-750 for a further period upto the 31st August, 1970, or till the posts in question are filled on a regular basis in accordance with the relevant recruitment rules whichever is earlier:

1. Shri R. K. Upmanyu. District Industries Officer, Solan.
2. Shri K. P. Nayar District Industries Officer, (Headquarters).
3. Shri V. P. Gupta District Industries Officer, Kangra, at Dharamsala.

By order,  
HARSH GUPTA,  
*Joint Secretary.*

**MULTIPURPOSE PROJECTS AND POWER  
DEPARTMENT**

**NOTIFICATION**

*Simla-2, the 28th August, 1970*

No. 2-96/69-MPP(Sectt.).—Whereas it appears to the Lieutenant Governor, Himachal Pradesh that the land is required to be taken by the Government at public expense for a public purpose, namely for construction of tube-well at Rampur Majri, it is hereby declared that the land described in the specification below is required for the above purpose.

2. This declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894 to all whom it may concern and under the provisions of section 7 of the said Act, the Collector, Land Acquisition, Himachal Pradesh Public Works Department is hereby directed to take order for the acquisition of the said land.

3. A plan of the land may be inspected in the office of the Collector, Land Acquisition, Himachal Pradesh Public Works Department, Solan.

SPECIFICATION

District:	SIRMUR	Tehsil:	PAONTA
Village	Khasra No.	Area Big. Bis.	
RAMPUR BANJARAN	200/46/1	0	3
	35/1	0	3
	Total ..	0	6

By order,  
U. N. SHARMA,  
Secretary.

REVENUE DEPARTMENT

NOTIFICATIONS

Simla-2, the 25th August, 1970

No. 2-9/64-Rev. I(III).—In exercise of the powers vested in him under section 3(c) of the Land Acquisition Act, 1894, and all other powers enabling him in this behalf the Administrator (Lieutenant Governor), Himachal Pradesh is pleased to confer on the following officers, all the powers of a Collector under the said Act to be exercised by them within the local limits of their respective jurisdictions as specified against each, from the date they took over the charge of the post:—

Name of officer	Area of jurisdiction
1. Shri Vinod Lall, Sub-Divisional Officer (Civil), Dehra, District Kangra.	Dehra Gopipur, Division, District Kangra.
2. Shri Shamsher Singh, Sub-Divisional Officer (Civil), Dalhousie, District Chamba.	Dalhousie Sub-Division, District Chamba.
3. Shri H. S. Negi, Sub-Divisional Officer, (Civil), Rampur, District Mahasu.	Rampur Sub-Division, District Mahasu.
4. Shri Arvind Kaul, Sub-Divisional Officer, (Civil), Solan, District Mahasu.	Solan Sub-Division, District Mahasu, (Solan and Arki tehsils).

Simla-2, the 25th August, 1970

No. 2-9/64-Rev. I(III).—In exercise of the powers vested in him under section 77(4)(b) of the Punjab Tenancy Act, 1887, as in force in the territories transferred to Himachal Pradesh with effect from 1-11-1966, as a result of the Re-organisation of States and all other powers enabling him in this behalf the Administrator (Lieutenant Governor), Himachal Pradesh is pleased to specially empower the following Assistant Collectors of first grade to hear and determine any of the suits mentioned in first group of sub-section (3) of the section 77 of the said Act and they shall exercise the said powers within the local limits of their respective jurisdiction as specified against each from the date they took over the charge of the post:—

Name of officer	Area of jurisdiction
1. Shri Vinod Lall, Sub-Divisional Officer, (Civil), Dehra, District Kangra.	Dehra Sub-Division, District Kangra.
2. Shri Shamsher Singh, Sub-Divisional Officer, (Civil), Dalhousie, District Chamba.	Dalhousie Sub-Division, District Chamba.

Simla-2, the 25th August, 1970

No. 2-9/64-Rev. I(III).—In exercise of the powers vested in him under clause (a) of sub-section (1) of section 105 of the Punjab Tenancy Act, 1887 as in force in the territories transferred to Himachal Pradesh with effect from 1-11-1966 as a result of the Re-organisation of States and all other powers enabling him in this behalf the Administrator (Lieutenant Governor), Himachal Pradesh is pleased to confer on the following officers, all the powers of a Collector under the said Act to be exercised by them within the local limits of their respective jurisdictions as specified against each, subject to the control of the Collector of the District from the date they took over the charge of the post:—

Name of officer	Area of jurisdiction
1. Shri Vinod Lall, Sub-Divisional Officer, (Civil), Dehra, District Kangra.	Dehra Sub-Division, District Kangra.
2. Shri Shamsher Singh, Sub-Divisional Officer, (Civil), Dalhousie, District Chamba.	Dalhousie Sub-Division, District Chamba.

Simla-2, the 25th August, 1970

No. 2-9/64-Rev. I(III).—In exercise of the powers vested in him under section 3(2) of the Punjab Restitution of Mortgaged Lands Act, 1938, as in force in the territories transferred to Himachal Pradesh with effect from 1-11-1966, as a result of the Re-organisation of States and all other powers enabling him in this behalf the Administrator (Lieutenant Governor), Himachal Pradesh is pleased to specially empower the following officers, who are Assistant Collectors of the First Grade to perform the duties of a Collector for the purposes of the said Act to be exercised by them within the local limits of their respective jurisdictions as specified against each, from the date they took over the charge of the post:—

Name of officer	Area of jurisdiction
1. Shri Vinod Lall, Sub-Divisional Officer, (Civil), Dehra, District Kangra.	Dehra Sub-Division, District Kangra.
2. Shri Shamsher Singh, Sub-Divisional Officer, (Civil), Dalhousie, District Chamba.	Dalhousie Sub-Division, District Chamba.

Simla-2, the 25th August, 1970

No. 2-9/64-Rev. I(III).—In exercise of the powers vested in him under section 2(b) of the Punjab Occupancy Tenants (Vesting of Proprietary Rights) Act, 1952 (Punjab Act No. VIII of 1953) as in force in the territories transferred to Himachal Pradesh with effect from 1-11-1966, as a result of the Re-organisation of States

लोकपत्र, हिमाचल प्रदेश, ५ सितम्बर, १९७०/१४ अक्टूबर, १८९२

and all other powers enabling him in this behalf the Administrator (Lieutenant Governor), Himachal Pradesh is pleased to specially empower the followings officers, who are Assistant Collectors of the first grade, to perform the duties of a Collector under the said Act to be exercised by them within the local limits of their respective jurisdictions as specified against each, from the date they took over the charge of the post:—

Name of officer	Area of jurisdiction
1. Shri Vinod Lall, Sub-Divisional Officer, (Civil), Dehra, District Kangra.	Dehra Sub-Division, District Kangra.
2. Shri Shamsher Singh, Sub-Divisional Officer, (Civil), Dalhousie, District Chamba.	Dalhousie Sub-Division, District Chamba.

Simla-2, the 25th August, 1970

No. 2-9/64-Rev. I(III).—In exercise of the powers vested in him under section 2(c) of the Punjab Abolition of Ala Malkiyat and Talukdari Rights Act, 1952 (Act No. IX of 1953), as in force in the territories transferred to Himachal Pradesh with effect from 1-11-1966, as a result of the Re-organisation of States and all other powers enabling him in this behalf the Administrator (Lieutenant Governor), Himachal Pradesh is pleased to specially empower the following officers, who are Assistant Collectors of the first grade, to perform the duties of a Collector under the said Act to be exercised by them within the local limits of their respective jurisdictions as specified against each, from the date they took over the charge of the post:—

Name of officer	Area of jurisdiction
1. Shri Vinod Lall, Sub-Divisional Officer, (Civil), Dehra, District Kangra.	Dehra Sub-Division, District Kangra.
2. Shri Shamsher Singh, Sub-Divisional Officer, (Civil), Dalhousie, District Chamba.	Dalhousie Sub-Division, District Chamba.

Simla-2, the 25th August, 1970

No. 2-9/64-Rev. I(II).—In exercise of the powers vested in him under section 27(1)(a) of the Punjab Land Revenue (Act XVII of 1887), as in force in the territories transferred to Himachal Pradesh with effect from 1-11-1966, as a result of the Re-organisation of States and all other powers enabling him in this behalf, the Administrator (Lieutenant Governor), Himachal Pradesh is pleased to confer on the following officers all the powers of a Collector under the said Act to be exercised by them within the local limits of their respective jurisdictions a specified against each, subject to the control of the Collector of the District, from the date they took over the charge of the post:

Name of officer	Area of jurisdiction
1. Shri Vinod Lall, Sub-Divisional Officer, (Civil), Dehra, District Kangra.	Dehra Sub-Division, District Kangra.
2. Shri Shamsher Singh, Sub-Divisional Officer, (Civil), Dalhousie, District Chamba.	Dalhousie Sub-Division, District Chamba.

Simla-2, the 25th August, 1970

No. 2-9/64-Rev. I(III).—In exercise of the powers vested in him under section 27(1)(b) of the Punjab Land Revenue (Act XVII of 1887), as in force in the territories transferred to Himachal Pradesh with effect from 1-11-1966 as a result of the Re-organisation of States and all other powers enabling him in this behalf, the Administrator (Lieutenant Governor), Himachal Pradesh, is pleased to confer on the following officers all the powers of an Assistant Collector first grade under the said Act to be exercised by them within the local limits of their respective jurisdictions as specified against each, from the date they took over the charge of the post:—

Name of officer	Area of jurisdiction
1. Shri Vinod Lall, Sub-Divisional Officer, (Civil), Dehra, District Kangra.	Dehra Sub-Division, District Kangra.
2. Shri Shamsher Singh, Sub-Divisional Officer, (Civil), Dalhousie, District Chamba.	Dalhousie Sub-Division, District Chamba.

Simla-2, the 25th August, 1970

No. 2-9/64-Rev. I(III).—In exercise of the powers vested in him under clause (b) of sub-section (1) of section 28 of Himachal Pradesh Land Revenue Act, 1953 (Act No. 6 of 1954), and all other powers enabling him in this behalf, the Administrator (Lieutenant Governor), Himachal Pradesh is pleased to confer on the following officers all the powers of an Assistant Collector first grade under the said Act to be exercised by them within the local limits of their respective jurisdictions as specified against each, from the date they took over the charge of the post:—

Name of officer	Area of jurisdiction
1. Shri Kashmir Singh, Magistrate First Class, Bilaspur, District Bilaspur.	Bilaspur district.
2. Shri Jai Chand, Magistrate First Class, Mandi, District Mandi.	Mandi district.
3. Shri A. J. S. Sahney, Magistrate First Class, Tehsil Theog, District Theog, District Mahasu.	Tehsil Theog, District Mahasu.
4. Shri Arvind Kaul, Tehsils Solan and Arki, Magistrate First Class, District Mahasu.	Solan and Arki, District Mahasu.

Simla-2, the 25th August, 1970

No. 2-9/64-Rev. I(III).—In exercise of the powers conferred by clause (a) of sub-section (1) of section 28 of the Himachal Pradesh Land Revenue Act, 1953 (Act No. 6 of 1954), the Administrator (Lieutenant Governor), Himachal Pradesh is pleased to confer on the following officers all the powers of a Collector under sections 14, 16 and 17 of the said Act to be exercised by them within the local limits of their respective jurisdictions as specified against each, from the date they

took over the charge of the post:—

<i>Name of officer</i>	<i>Area of jurisdiction</i>	<i>Name of officer</i>	<i>Area of jurisdiction</i>
1. Shri H. S. Negi, Sub-Divisional Officer, (Civil), Rampur, District Mahasu.	Rampur Sub-Division, District Mahasu.	3. Shri Shamsher Singh, Sub-Divisional Officer, (Civil), Dalhousie, District Chamba.	Dalhousie Sub-Division, District Chamba.
2. Shri Arvind Kaul, Sub-Divisional Magistrate Solan, District Mahasu.	Solan Sub-Division, District Mahasu (Solan and Arki tehsils).		By order, S. N. BISARYA, <i>Under Secretary.</i>

Simla-2, the 27th August, 1970

No. 6-5/70-(Rev. I).—In exercise of the powers conferred by sections 2(a)(i) and 3(1)(a) of the East Punjab War Awards Act, 1948 as amended up-to-date read with the Government of India, Ministry of Home Affairs notification No. S.O. 3370, dated the 1st November, 1966, the Lieutenant Governor, Himachal Pradesh is pleased to make grant of War Jagirs of the annual value of Rs. 100.00 (Rupees one hundred) only in favour of the under mentioned persons as award for war services rendered by their respective son/sons subject to such conditions as to its enjoyment as are contained in their respective sanads of the Jagir granted to them in this behalf:—

Serial No. of sons No. in Armed Forces	Name/parentage of the grantees	Particulars of residence		Annual amount of War Jagir effective
		Village, Tehsil and District	4	
1	2	3	4	5
1. One	Shrimati Sansar Dei wd/o Shri Bir Singh.	Chanaur, Dehra, Kangra		Rs. 100 (Kharif, 1965)
2. One	Shrimati Naro Devi wd/o Shri Hushnaki Ram.	Bara, Dehra, Kangra		Rs. 100 (Kharif, 1965)
3. One	Shri Ram Ditta s/o Shri Nagina	Nari Kandi, Dehra, Kangra		Rs. 100 (Kharif, 1965)
4. One	Shrimati Nihatu Devi wd/o Shri Nandu Ram.	Dargeha, Dehra, Kangra		Rs. 100 (Kharif, 1965)

In exercise of the powers conferred by section 3 (1-A)/3(1)(a)/3(1)b(i) of the East Punjab War Awards Act, 1948, read with the Government of India, Ministry of Home Affairs, notification No. S.O. 3370, dated the 1st November, 1966, the Lieutenant Governor, Himachal Pradesh is pleased to make a grant of War Jagirs of the annual value specified below in favour of the undermentioned persons as award for war services rendered by their respective son/sons subject to such conditions as to its enjoyment as are contained in their respective sanads of the Jagir granted to them in this behalf:—

No. 6-3/69-Rev. I (II)

Simla-2, the 27th August, 1970

Serial No. of sons No. in Armed Forces	Name/parentage of the grantees	Particulars about residence		Annual amount of War Jagir effective
		Village, Tehsil and District	4	
1	2	3	4	5
1. One	Shrimati Giano wd/o Shri Nain Sukh.	Ler Santala, Dehra, Kangra		Rs. 100 (Kharif, 1965)

No. 6-2/70-Rev.

Simla-2, the 27th August, 1970

I(1)	1. Four	Shri Dharam Singh s/o Shri Faquria.	Sangnai, Una, Kangra	Rs. 140 (Kharif, 1965)
2.	One	Shri Vidya Sagar s/o Shri Bishan Dass.	Badali, Una, Kangra	Rs. 100 (Kharif, 1965)
3.	One	Shrimati Dhant Kaur wd/o Shri Dina Singh.	Dehlan, Una, Kangra	Rs. 100 (Kharif, 1965)
4.	One	Shri Amar Singh s/o Shri Lehnu Ram.	Andora, Una, Kangra	Rs. 100 Kharif, 1965

No. 6-3/70-(Rev. I)

Simla-2, the 27th August, 1970

1. One	Shri Sali Ram s/o Shri Mauni Ram	Dari, Kangra, Kangra	Rs. 100 (Kharif, 1965)
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1	2	3	4	5
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No. 6-7/70-Rev. I (I)

Simla-2, the 27th August, 1970

1.	One	Shri Ram Rath s/o Shri Mehtaba	Behrwin, Hamirpur Dhatwalian, Rs. 100 (Kharif, 1965)
2.	One	Shri Munshi Ram s/o Shri Diwan Chand.	Tikkar, Hamirpur, Kangra Rs. 100 (Kharif, 1965)
3.	One	Shri Beli Ram s/o Shri Darshan	Matahni, Hamirpur, Kangra Rs. 100 (Kharif, 1965)
4.	One	Shri Ganga Ram s/o Shri Della Ram.	Tapri, Hamirpur, Kangra Rs. 100 (Kharif, 1965)

No. 6-7 70-Rev. (I) II

Simla-2, the 27th August, 1970

1.	Three	Shri Hans Raj s/o Shri Thunia Ram	Rohalwin, Hamirpur, Kangra	Rs. 100 (Kharif, 1964)
2.	Three	Shri Nanku Ram s/o Shri Rabhal	Radhar, Hamirpur, Kangra	Rs. 100 (Rabi, 1966)
3.	Three	Shri Bhundu Ram s/o Shri Panju Ram.	Nalahi, Hamirpur, Kangra	Rs. 100 (Kharif, 1967)
4.	Three	Shri Labhu Ram s/o Shri Lehnu Ram.	Kusar, Hamirpur, Kangra	Rs. 100 (Rabi, 1966)
5.	Three	Shri Khazana Ram s/o Shri Nalahi, Hamirpur, Kangra Kheendoo.	-do-	

Simla-2, the 28th August, 1970

No. 6-21/68-(Rev. I)(I).—In the Himachal Pradesh Government notification No. 6-8/69-(Rev. I)-(II), dated the 10th July, 1969 for the words 'Shri Jamit Singh s/o Shri Gurdas Ram, occurring in serial No. 4, the following words shall be substituted "Shri Jamit Singh s/o Shri Himat Ram".

S. N. BISARYA,  
Under Secretary.

**TRANSPORT DEPARTMENT  
NOTIFICATION**

Simla-2, the 27th August, 1970

No. 2-122/69-CS&amp;T(Tpt.).—Consequent upon

Shri Atam Dev Arora, Service Manager, Himachal Government Transport, Dhali, proceeding on 55 days earned leave with effect from 5-1-1970 to 28-2-1970, the Lieutenant Governor (Administrator), Himachal Pradesh is pleased to promote Shri P. C. Wadhawa, Foreman, in the scale of Rs. 350-20-550 as Service Manager in the said leave vacancy purely on *ad hoc* basis.

2. Shri Wadhawa's promotion in the leave vacancy will not confer upon him any right of seniority etc.

By order,  
B. C. NEGI,  
Secretary.

**भाग 2—वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और ज़िला मैजिस्ट्रेटों द्वारा अधिसूचनाएँ  
इत्यादि**

**INDUSTRIES DEPARTMENT  
(GEOLOGICAL CELL)  
AUCTION NOTICE**

Simla-5, the 29th August, 1970

No. 5-37/70-Ind. (Glg.). It is hereby notified for the information of the general public that auction of the following slate quarries and other minor minerals like sand, bajri and stone, etc., contracts of Chamba district will be held in the office of the District Industries Officer, Chamba, at 11 A.M., on the 12th and 13th October, 1970:—

*Serial Name of the quarry Pargana Village Tehsil No.*

**(A) SLATE QUARRIES:—**

(1) Bakar Maru	Trehta	Bakar Maru.	Bharmaur
(2) Baswarga	Trehta	Baswarga	Bharmaur
(3) Gunu Ginder Choo	Trehta	Gunu-Ginder Choo.	Bharmaur
(4) Bharun Godakhor Bharwa	Trehta Samra	Bharun Bharwa	Bharmaur Chamba

*Serial Name of the quarry Pargana Village Tehsil No.*

(6) Sajoth	Samra	Sajoth	Chamba
(7) Dhagrera (Daffuwala)	Hobar	Dhagrera	Bhattiyat
(8) Rupiana	Hobar	Rupiana	Bhattiyat
(9) Kainthli	Dhundi	Kainthli	Chamba
(10) Chabaru	Gudial	Chabaru	Chamba

**(B) SAND, BAJRI, STONE, ETC.**

(1) Naini Khad Nallah—left and right banks Nallah.	—	Naini Khad	Bhattiyat
(2) Panjpulla Nallah—left and right banks of Panjpullah Nallah.	—	Nani Khad	Bhattiyat
(3) Siul Nallah—right and left banks of Siul Nallahs, Two miles stretch near village Sundla.	—	Sundla	Churah

The terms and conditions of the auction are given below:-

- (1) The period of auction in respect of slates will be three years and for one year in respect of other minerals from the date of grant of the auction. The Government reserves the right to reduce or enhance the period of contract.
- (2) Each bidder shall be required to deposit Rs. 100 as earnest money with the presiding officer before participating in the auction.
- (3) The provisionally selected bidder(s) shall be required to deposit 25% of the amount of bid for one year as security immediately and an equal amount as the first instalment of the contract money.
- (4) The Government reserves the right to accept or reject the highest bid without assigning any reason.
- (5) The other terms and conditions of the auction will be announced on the spot.
- (6) The other information and details of the area may be obtained from the District Industries Officer, Chamba.
- (7) The auction is made subject to the provisions contained in the Himachal Pradesh Minor Mineral Concession Rules, 1966. The intending bidders are requested to satisfy themselves of the quarries/ areas mentioned above.

PRABHAKAR KAMATH,  
Director of Industries.

**FORM 'H'**  
**DECLARATION UNDER SECTION 24 OF THE ACT**  
*Chamba, the 26th August, 1970*

No. Ind. Loan/59-1973-3.—Whereas a notice was served on Shri Ram Dass s/o Shri Sangara, resident of Mohalla Dharog, Chamba town, District Chamba (Himachal Pradesh), on 31-1-1968, under section 23 of the Punjab State Aid to Industries (Himachal Pradesh Amendment) Act, 1964, calling upon the said Shri Ram Dass to pay to me the sum of Rs. 498 on or before 14-2-1968 and whereas the said sum has not been paid, I hereby declare that the sum of Rs. 498 and interest thereon (up-to-date) is due from Shri Ram Dass and that the property described in the attached schedule is liable for satisfaction of the said debt.

**SCHEDULE**

One third share of the house and land comprised in khata No. 777/1190, khasra Nos. 6130, 6131, 6147 and 6148, Mohalla Ravidasnagar, Chamba town.

V. P. SOOD,  
District Industries Officer. Chamba.

**FORM 'H'**

**DECLARATION UNDER SECTION 24 OF THE ACT**  
*Chamba, the 26th August, 1970*

No. Ind. Loan/59-1977-3.—Whereas a notice was served on Sarvshri Wishwa Nath, Som Nath, Proprietors M/s Iravati Industries, Chamba, resident of Chamba town, District Chamba, Himachal Pradesh on 18-9-1968, under section 23 of the Punjab State Aid to Industries (H.P. Amendment) Act, 1964, calling upon the said Sarvshri Wishwa Nath, Som Nath to pay to me the sum of Rs. 18,750 on or before 10-10-1968 and whereas the said sum has not been paid, I hereby declare that the sum of Rs. 17,750 and interest thereon (up-to-date) is due from the said Sarvshri Wishwa Nath, Som Nath and that the property described in the attached schedule is liable for satisfaction of the said debt.

**SCHEDULE**

1. Machinery installed in Iravati Industries, Chamba.
2. House comprised in khasra Nos. 1335 and 1425 situated at Chamba town.
3. House including its land comprised in khasra Nos. 2076, 2073, 2074, 2077 and 2078 situated at Chamba town.

V. P. SOOD,  
District Industries Officer, Chamba.

**PUBLIC WORKS DEPARTMENT  
NOTIFICATION**

*Simla, the 20th/21st August, 1970*

No. PWE. 148-8/68-V-ES-II-7371-7426H.—In exercise of the powers vested in me under Rule 10 A of the Delegation of Financial Powers Rules, 1958, I hereby declare the following Superintending Engineer/Executive Engineers of Himachal Pradesh Public Works Department as Heads of Offices and Drawing and Disbursing Officers in respect of all Heads of Account both under Plan/Non-Plan noted in column 3.

<i>Sl. Name of Circle/Division No.</i>	<i>Head of Account No.</i>
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1. Superintending En- gineer, VIII Circle, H.P. P.W.D.,	1. (a) 50—Public Works Communication. (b) 50—Public Works Hamirpur.
2. Executive Engineer, Dehragopipur Divi- sion, H.P. P.W.D.,	2. 52—Capital Outlay on Public Works Building inside the Revenue Account.
	3. 103—Capital Outlay on Public Works (Com- munication) and (Buildings).
3. Executive Engineer, Barsar Division H.P. P.W.D., Barsar.	4. 30—Public Health. 5. 44—Irrigation, Navigation, Embankment and Drainage Works (Non-Commercial).
	6. 94—Capital Outlay on Im- provement of Public Health.
	7. 95—Capital Outlay on Schemes of Agricul- tural Improvements of Research.
	8. XXXVII—Public Works.
	9. Q—Loans and Advances.
	10. S—Deposit and Advances.
	11. 48—Capital Outlay on Irri- gation Navigation, Embankment and Drainage Works.
	12. XXXV—Irrigation, Naviga- tion, Embankment and Drainage Works.
	13. 89—Misc. Social and Dev. Org.

H. C. MALHOTRA,  
Chief Engineer (II).

**भाग 3—अधिनियम, विधेयक और विधेयकों पर प्रबल समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के उप-राज्यपाल, हिमाचल बैच आफ़ देहली हाई कोर्ट, फाइनेन्शल कमिशनर तथा कमिशनर आफ़ इन्कम-टैक्स द्वारा अधिसूचित आदेश इत्यादि**

**CONFIDENTIAL AND CABINET DEPARTMENT**

**ORDER**

*Simla-2, the 27th August, 1970*

**No. 5-11 64-CED.** In exercise of the powers conferred on him by proviso to Rule 3 of the Business of the Government of Himachal Pradesh (Allocation) Rules, 1963, the Administrator (Lieutenant Governor), Himachal Pradesh is pleased to make with immediate effect, the following modifications and additions in the list of

Business in the Schedule appended to the said Rules, namely:—

1. Under Head IX 'Revenue Department' item No. 37 shall be deleted and items 38 and 39 renumbered as 37 and 38.
2. Under Head V 'Finance Departments' the following shall be inserted:  
"33. control over Treasuries and Sub-treasuries".

A. N. VIDYARTHI,  
*Joint Secretary.*

**भाग 4—स्थानीय स्वायत शासन: म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफिकेशन और टाउन एरिया तथा पंचायत विभाग**

**LOCAL SELF GOVERNMENT DEPARTMENT  
NOTIFICATION**

*Simla-2, the 27th August, 1970*

**No. 14-44 68-LSG.** The notification No. 14 issued by this Department on 14th August, 1968 under section 4 of the Land Acquisition Act, 1894, in respect of land comprising in Khasra No. 1019/953/162/1 in village Bhojpur, Tehsil Sundernagar, District Mandi and subsequent notification of even number, dated the 26th May, 1969, issued under sections 6 and 7 of the said Act, are hereby cancelled.

By order,  
D. B. LAL,  
*Secretary.*

**OFFICE OF THE EXECUTIVE OFFICER  
PANCHAYAT SAMITI, BAIJNATH  
NOTIFICATION**

*Baijnath, the 21st August, 1970*

**No. 1510.** In exercise of the powers conferred under section 45(i) of the Punjab Panchayat Samiti and Zila Parishad Act, 1961 (Act of 1961), Panchayat Samiti Baijnath is pleased to confirm the following by-laws made under section 45(i)(xxvi)(3) of the said Act by the Panchayat Samiti, Baijnath in Kangra district relating to the keeping and destruction of dogs.

These by-laws shall come into force with immediate effect in the area of Panchayat Samiti Baijnath.

**BY-LAWS**

1. These by-laws may be called the Panchayat Samiti by-laws, dogs destruction and licensing by-laws. These shall come into force with effect from the date of publication in Gazette.

2. No person shall keep a dog more than 2 month of age within the Panchayat Samiti area for more than one month unless it is registered at the Samiti office.

3. (i) Any person who wishes to register a dog shall apply for such registration on the prescribed form of application, which may be obtained free of charge at the office of the Panchayat Samiti.

(ii) Every application for registration shall be accepted by a fee of Rs. 3 per dog.

(iii) A registration shall remain in force for one year ending 31st March in every case, and any person

who wishes to renew any registration for a further period of one year or fraction thereof shall apply for registration in the same manner as if the registration is being done for the first time. The fee of Rs. 3 shall be payable for such registration.

(iv) The Executive Officer of the Panchayat Samiti or any other officer authorised by it (Panchayat Samiti) shall register of cause to be registered every dog in respect of which an application for registration is received together with the prescribed fee and shall issue to the applicant a metal badge in token of the dog having been registered.

(v) If any badge issued under (iv) above is lost the owner or keeper of the dog in respect of which the badge was issued may apply for another badge to the E.O.P.S., and a new badge shall be issued on receipt of Rs. 2.

(vi) The badge shall be attached to the collar to be put round the neck of the dog. The responsibility for doing so shall be that of the owner or keeper of the dog.

4. Any dog found in public place, shall unless registered and wearing such badge, shall be liable to be destroyed, as a stray dog, as a anti-rabic measure and as a necessary step to check the nuisance of such stray dogs. Action to destroy such dogs, shall be taken under the orders of the Sanitary Inspector of the area or any other officer authorised by the Panchayat Samiti.

(ii) It shall be the duty of the person destroying dogs to make out a list and submit the same to the Executive Officer of the P. S.

5. It shall be the duty of the Gram Panchayat of the village where a dog is destroyed to arrange for its removal and burial. The cost incurred shall be payable out of the Panchayat Samiti fund on receipt of bill(s).

6. It shall be the duty of the owner or keeper of the registered dog to get it protected by injection or otherwise against rabies or so, at the Veterinary Hospital within the area of the Panchayat Samiti, outside.

7. Any person who commits a breach of these by-laws shall be punishable on conviction with a fine which may extend to Rs. 50 and the case of continuing breach with a further fine which may extend to five rupees for every day during which the breach is continued after exceed in the aggregative hundred rupees.

DHARAM PAL;  
*Executive Officer,*  
*Panchayat Samiti, Baijnath.*

## भाग 5—वैयक्तिक अधिसूचनाएं और विज्ञापन

**PROCLAMATION UNDER ORDER 5, RULE 20, C.P.C.**  
**In the Court of Shri A. L. Soni, P.C.S., Senior Sub-Judge**  
**Simla**

Misc. Application No. 19 of 1969

Shri Bishambar Lal Sud, Prince Wales Building, Regal Building Annexe, Lakkar Bazar, Simla.... Petitioner.

*Versus*

Pandit Anand Krishan and others .... Respondents.

To

1. Pandit Anand Krishan c/o M/s B. K. Rallan and Co., Chartered Accountants, 1/24, Asaf Ali Road, New Delhi.
2. Pandit Narinder Krishan, 27, Shiv Puri, Bulandshahar.
3. Pandit Ramendar Dayal, Advocate, 9, The Agra Club, Agra.
4. Pandit Ravinder Dayal, Bhupinder Bhawan, Nicholson Road, New Delhi.
5. Pandit Rameshwar Dayal, through his guardian at Mental Hospital, Agra.
6. Shrimati Bimla Devi, Deen Dayal Bhawan, Khpatapari, Alwar.
7. Shri Nanak Chand Sud s/o Shri Shiv Saran Dass, Kenilwerth, Simla-1.

Whereas in the above noted case, it has been proved to the satisfaction of the Court that the above noted Respondents are evading the service of the summons and cannot be served in normal course of service. Hence this proclamation is hereby issued against them to appear in this Court on the date of hearing on 23-10-1970 at 10 A.M., personally or through their authorised agent or pleader to defend the case. Failing which *ex-parte* proceedings will be taken against them.

Given under my hand and the seal of this Court this 26th day of August, 1970.

Seal.

A. L. SONI,  
Senior Sub-Judge, Simla.

**PROCLAMATION UNDER ORDER 5, RULE 20, C.P.C.**  
**In the Court of Shri A. L. Soni, P.C.S., Senior Sub-Judge, Simla**

SUIT NO. 32 OF 1969

Firm M/s Simla Wholesale Syndicate, Anaj Mandi, Simla through Shri Ram Sarup a registered partner of the said firm

*Plaintiffs.*

*Versus*

M/s Bansi Lal and Co. and others..... Defendants.

To

1. M/s Bansi Lal and Co., shopkeepers, Pull Bahal, P.O./District Mahasu.
2. Shri Bansi Lal a partner of M/s Bansi Lal and Co., Pull Bahal, P.O./District Mahasu.

Whereas in the above noted case, it has been proved to the satisfaction of the Court that the above noted defendants are evading the service of the summons and cannot be served in normal course of service. Hence this proclamation is hereby issued against them to appear in this Court on the date of hearing on 13-10-1970 at 10 A.M. personally or through their authorised agent or pleader to defend the case. Failing which *ex-parte* proceedings will be taken against them.

Given under my hand and the seal of this Court this 28th day of August, 1970.

A. L. SONI,  
Senior Sub-Judge, Simla.

## भाग 6—भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन

### LAW DEPARTMENT NOTIFICATIONS

Simla-4, the 21st January, 1958

**No. LR.1-80/55.**—The following Acts receiving passed by the Parliament of India, and already published in the Gazette of India, Extraordinary, part II, section 1, dated 19-12-1957 and are hereby republished in the Himachal Pradesh Administration Gazette for the information of the general public:—

1. The Cantonments (Extension of Rent Control Laws) Act, 1957 (No. 46 of 1957)
2. The Indian Telegraphs (Amendment) Act, (No. 47 of 1957).

LAKSHMAN DASS,  
Assistant Secretary (Judicial).

[Assented on 18-12-1957]  
Act No. 46 of 1957

### THE CANTONMENTS (EXTENSION OF RENT CONTROL LAWS) ACT, 1957

AN  
ACT

to provide for the extension to cantonments of laws relating to the control of rent and regulation of house accommodation.

Be it enacted by the Parliament in the Eighth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Cantonments (Extension of Rent Control Laws) Act, 1957.

2. *Definitions.*—In this Act, “cantonment” means any place declared to be a cantonment under section 3 of the Cantonments Act, 1924 (2 of 1924).

3. *Power to extend to cantonments laws relating to control of rents and regulation of house accommodation.*—The Central Government may, by notification in the Official Gazette, extend to any cantonment with such restrictions and modifications as it thinks fit, any enactment relating to the control of rent and regulation of house accommodation which is in force on the date of the notification in the State in which the cantonment is situated:

Provided that nothing contained in any enactment so extended shall apply to—

- (a) any premises within the cantonment belonging to the Government;
- (b) any tenancy or other like relationship created by a grant from the Government in respect of premises within the cantonment taken on lease or requisitioned by the Government; or
- (c) any house within the cantonment which is, or may be, appropriated by the Central Government on lease under the Cantonments (House Accommodation) Act, 1923 (6 of 1923).

**4. Extension of the Madhya Bharat Accommodation Control Act, 1955 to the cantonment of Mhow.**—The Madhya Bharat Accommodation Control Act, 1955 (M. B. Act 23 of 1955) as in force in that part of the State of Madhya Pradesh which immediately before the 1st day of November, 1956, formed the State of Madhya Bharat is hereby extended to and brought into force in, the cantonment of Mhow with the following modifications, namely:

In the said Act,

- (a) for the words "commencement of this Act" wherever they occur, the words "extension of this Act to the cantonment" shall be substituted;
- (b) in section 1, for sub-sections (2), (3) and (4), the following sub-sections shall be substituted, namely:
  - '(2) It extends to the Cantonment of Mhow.
  - (3) It shall remain in force upto the 31st day of December, 1957; but the Central Government may, by notification in the Official Gazette, direct from time to time that it shall remain in force for such further period as may be specified in the notification so, however, that the total period for which it may remain in force shall not exceed two years from the 31st day of December, 1957';
- (c) in section 2, in clause (b) of sub-section (1), for the words "a Municipality" the words "the Cantonment Board" shall be substituted;
- (d) in section 3, in clause (e), for the word "Municipal", the words "Cantonment Board" shall be substituted;
- (e) in section 4,
  - (i) in clause (g), for the words "city or town concerned", the word "cantonment" shall be substituted;
  - (ii) in clause (h), for the words "city or town for that purpose and if he was in occupation, has for sufficient reasons vacated it after the Act has been extended to that city or town", the words "cantonment for that purpose or if he was in occupation, has for sufficient reasons vacated it after the extension of this Act thereto" shall be substituted;
- (f) in section 6,
  - (i) in sub-section (1), the words and brackets "situated in the city of Lashkar (including Gwalior and Morar), Indore, Ujjain or Ratlam" shall be omitted;
  - (ii) sub-section (2) shall be omitted;
- (g) in section 14, the words "the provisions of this Act cease to be applicable to any town, or" shall be omitted;
- (h) in section 15, after the word "instituted", the words "or if instituted, continued", shall be inserted;
- (i) in section 18, sub-section (4) shall be omitted;
- (j) in section 21, the words "or deemed to have been passed" shall be omitted;
- (k) in section 22, the words "or deemed to have been made" shall be omitted;
- (l) section 23, section 27 and the Schedule shall be omitted;
- (m) in sections 24 and 25, the words "or deemed to have been made" shall be omitted.

## THE INDIAN TELEGRAPH (AMENDMENT) ACT, 1957

AN

ACT

further to amend the Indian Telegraph Act, 1885

BE it enacted by Parliament in the Eighth Year of the Republic of India as follows:—

**1. Short title and commencement.**—(1) This Act may be called the Indian Telegraph (Amendment) Act, 1957.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

**2. Amendment of section 7.**—In section 7 of the Indian Telegraph Act, 1885 (13 of 1985) (hereinafter referred to as the principal Act),—

(a) in sub-section (2), after clause (d), the following clauses shall be inserted, namely:—

"(e) the conditions and restrictions subject to which any telegraph line, appliance or apparatus for telegraphic communication shall be established, maintained, worked, repaired, transferred, shifted, withdrawn or disconnected;

(f) the charges in respect of—

(i) the establishment, maintenance, working, repair, transfer or shifting of any telegraph line, appliance or apparatus;

(ii) the services of operators operating such line, appliance or apparatus;

(g) the matters in connection with the transition from a system whereunder rights and obligations relating to the establishment, maintenance, working, repair, transfer or shifting of any telegraph line, appliance or apparatus for telegraphic communication attach by virtue of any agreement to a system whereunder such rights and obligations attach by virtue of rules made under this section;

(h) the time at which, the manner in which, the conditions under which and the persons by whom the rates, charges and fees mentioned in this sub-section shall be paid and the furnishing of security for the payment of such rates, charges and fees;

(i) the payment of compensation to the Central Government for any loss incurred in connection with the provision of any telegraph line, appliance or apparatus for the benefit of any person—

(a) where the line, appliance or apparatus, is after it has been connected for use, given up by that person before the expiration of the period fixed by these rules, or

(b) where the work done for the purpose of providing the line, appliance or apparatus is, before it is connected for use, rendered abortive by some act or omission on the part of that person;

(j) the principles according to which and the authority by whom the compensation referred to in clause (i) shall be assessed;

(k) any other matter for which provision is necessary for the proper and efficient conduct of all or any telegraphs under this Act"; and

(b) after sub-section (3), the following sub-sections shall be inserted, namely:—

"(4) Nothing in this section or in any rules made hereunder shall be construed as—

- (a) precluding the Central Government from entering into an agreement with a person for the establishment, maintenance and working by that Government on terms and conditions specified in the agreement, of any telegraph line, appliance or apparatus for the purpose of affording means of telegraphic communication, where having regard to the number of the lines, appliance or apparatus required by that person for telegraphic communication, it is necessary or expedient to enter into such agreement with him, or
- (b) subjecting the Central Government to any obligation to provide any telegraph line, appliance or apparatus for the purpose of affording means of telegraphic communication.
- (5) All rules made under this section shall be laid for not less than thirty days before each House of Parliament as soon as possible after they are made and shall be subject to such modifications as Parliament may make during the session in which they are so laid or the session immediately following."

3. *Insertion of new sections 7A and 7B.*—After section 7 of the principal Act, the following sections shall be inserted, namely:

- "7A. *Saving of existing agreements.*—Nothing in section 7 shall authorise the making of any rules determining any agreement entered into by the Central Government with any person before the commencement of the Indian Telegraph (Amendment) Act, 1957, relating to the establishment, maintenance or working of any telegraph line, appliance or apparatus for telegraphic communication; and all rights and obligations thereunder relating to such establishment, maintenance or working shall be determined in accordance with the terms and conditions of such agreement.
- 7B. *Arbitration of disputes.*—(1) Except as otherwise expressly provided in this Act, if any dispute concerning any telegraph line, appliance or apparatus arises between the telegraph authority and the person for whose benefit the line, appliance or apparatus is, or has been, provided, the dispute shall be determined by arbitration and shall, for the purposes of such determination, be referred to an arbitrator appointed by the Central Government either specially for the determination of that dispute or generally for the determination of disputes under this section.
- (2) The award of the arbitrator appointed under sub-section (1) shall be conclusive between the parties to the dispute and shall not be questioned in any court."

*Simla-4, the 30th January, 1958*

No. LR-16-12/58-3.—The following Acts recently passed by the Parliament of India, and already published in the Gazette of India, Extraordinary, Part-II, section 1, dated 28-12-1958 are hereby republished in the Himachal Pradesh Administration Gazette for the information of the general public:—

- (1) The Countess of Dufferin's Fund Act, 1957, (No. 63 of 1957).
- (2) The Prevention of Disqualification (Amendment) Act, 1957 (No. 64 of 1957).

LAKSHMAN DASS,  
Assistant Secretary (Judicial).

*Received assent on 27th December, 1957.*

THE COUNTESS OF DUFFERIN'S FUND

ACT, 1957

(63 OF 1957)

AN

ACT

*to provide for the transfer of the Fund known as the Countess of Dufferin's Fund to the Central Government.*

BE it enacted by Parliament in the Eighth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Countess of Dufferin's Fund Act, 1957.
2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) "Association" means the National Association for Supplying Medical Aid by Women to the Women of India, being a society registered under the Societies Registration Act, 1860 (21 of 1860);

(b) "Fund" means all property, movable or immovable, of or belonging to the Association.

3. *Dissolution of Association and transfer of Fund.*—On the commencement of this Act—

(a) the Association shall stand dissolved;

(b) the fund shall vest in the Central Government; and

(c) all the debts and liabilities of the Association shall be transferred to the Central Government and shall thereafter be discharged and satisfied by it out of the Fund.

4. *Validation of certain acts done before the commencement of this Act.*—Notwithstanding anything contained in any law for the time being in force, all acts and things done, before the commencement of this Act, by any person acting or purporting to act in pursuance of the Resolutions passed at the extraordinary general meeting of the Association held on the 19th day of April, 1948, shall be valid and shall be deemed always to have been valid and no suit or other proceeding shall be instituted, maintained or continued against any person whatever on the ground that any such act or thing was not done in accordance with law.

*Received Assent on 27th December, 1957.*

THE PREVENTION OF DISQUALIFICATION  
(AMENDMENT) ACT, 1957

(64 OF 1957)

AN

ACT

*further to amend the Prevention of Disqualification Act, 1953.*

BE it enacted by Parliament in the Eighth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Prevention of Disqualification (Amendment) Act, 1957

2. *Amendment of section 4.*—In section 4 of the Prevention of Disqualification Act, 1953 (1 of 1954) for the figures and words "31st day of December, 1957", the figures and words "31st day of December, 1958" shall be substituted.

*Simla-4, the 10th April, 1958*

No. LR-16-9/58.—The following Acts recently passed by the Parliament of India, and already published in the Gazette of India, Extra-ordinary, Part II, section 1, dated the 21st March, 1958 is hereby published in the Himachal Pradesh Administration Gazette for the information of the general public:

The Control of Shipping (Continuance) Act, 1958  
(9 of 1958).

LAKSHMAN DASS,  
Assistant Secretary (Judicial).

Received assent on 19th March, 1968.

THE CONTROL OF SHIPPING (CONTINUANCE)

ACT, 1958

(9 OF 1958)

AN  
ACT

*to continue the Control of Shipping Act, 1947, for a further period..*

Be it enacted by Parliament in the Ninth Year of the Republic of India as follows:—

1. *Short title.* This Act may be called the Control of Shipping (Continuance) Act, 1958.

2. *Amendment of section 1.* In sub-section (3) of section 1 of the Control of Shipping Act, 1947, (26 of 1947) for the figures "1958", the figures "1960" shall be substituted.

Simla-4, the 6th October, 1958

No. I.R.16-12-58. The following Acts recently passed by the Parliament of India and already published in the Gazette of India, Extraordinary, Part II, section 1, dated 4th September, 5th September, 12th September, respectively are hereby republished in the Himachal Pradesh Administration Gazette for the information of general public:—

1. The Mineral Oils (Additional Duties of Excise and Customs) Act, 1958 (27 of 1958).
2. The Armed Forces (Assam and Manipur) Special Powers Act, 1958 (28 of 1958).

LAKSHMAN DASS,  
Under Secretary (Judicial).

ASSENTED TO ON 4TH SEPTEMBER 1958

THE MINERAL OILS (ADDITIONAL DUTIES OF EXCISE AND CUSTOMS) ACT, 1958

(ACT NO. 27 OF 1958)

AN

ACT

*to provide for the levy and collection of additional duties of excise and customs on certain mineral oils.*

Be it enacted by Parliament in the Ninth Year of the Republic of India as follows:

1. *Short title and commencement.* (1) This Act may be called the Mineral Oils (Additional Duties of Excise and Customs) Act, 1958.

(2) It shall be deemed to have come into force on the twentieth day of May, 1958.

2. *Definitions.* In this Act, "kerosene", "motor spirit", "refined diesel oils and vaporizing oil" and "diesel oil, not otherwise specified" and "furnace oil" shall have the meanings respectively assigned to them in Items Nos. 1, 4, 24 and 25 of the First Schedule to the Central Excises and Salt Act, 1944 (2 of 1944).

3. *Levy and collection of additional duties of excise on certain mineral oils.*—(1) There shall be levied and collected in respect of the goods mentioned in column 1 of the Table hereunder duties of excise at such rates not exceeding those specified in relation thereto in column 2 of the said Table as may be specified by the Central Government by notification in the Official Gazette,—

TABLE

Description of goods 1	Rate of additional duty 2
1. Kerosene	Twelve <i>naye paisa</i> per imperial gallon.
2. Motor spirit	Twenty-five <i>naye paisa</i> per imperial gallon.
3. Refined diesel oils..	Fifteen <i>naye paisa</i> per imperial and vaporizing gallon.
4. Diesel oil, not..	Rupees twenty per ton. otherwise speci- fied.
5. Furnace oil	Rupees twenty per ton.

(2) The duties of excise referred to in sub-section (1) in respect of the goods specified therein shall be in addition to the duties of excise chargeable on such goods under the Central Excises and Salt Act, 1944, (1 of 1944) or any other law for the time being in force,

(3) The provisions of the Central Excises and Salt Act, 1944 (1 of 1944), and the rules thereunder, including those relating to refunds and exemptions from duty, shall, so far as may be, apply in relation to the levy and collection of the additional duties of excise referred to in this section as they apply in relation to the levy and collection of the duties of excise in respect of the goods specified in sub-section (1).

(4) Notwithstanding anything contained in this section, the Central Government may, having regard to the administrative or other difficulties, if any, which may arise in relation to the levy and collection of all or any of the additional duties of excise under this Act for any period commencing on the 20th day of May, 1958, and ending on the 29th day of June, 1958, assess the additional duties of excise payable by any person under this Act to be such sum as to the Central Government appears proper in the circumstances.

4. *Amendment of Act 32 of 1934.*—For so long as an additional duty of excise is levied and collected under this Act in respect of kerosene, the entry in the fourth column relating to sub-item (a) of item No. 27(4) of the First Schedule to the Indian Tarsff Act, 1934 (32 of 1934), shall have effect as if the words, brackets and figures "plus the excise duty for the time being leviable under the Mineral Oils (Additional Duties of Excise and Customs) Act, 1958, on like articles if produced or manufactured in India" had been added thereto.

5. *Additional duties of excise and customs not to be added to price of goods for sale.*—Notwithstanding anything contained in section 64A of the Indian Sale of Goods Act, 1930 (3 of 1930), or in any other law for the time being in force, or in any contract or agreement, no purchaser purchasing any of the goods referred to in

sub-section (1) of section 3, shall be liable to pay or be sued for, or in respect of,—

- (a) the whole or any part of the additional duties of excise leviable under this Act, or
- (b) the whole or any part of the additional duties of customs leviable under section 4 or under the Indian Tariff Act, 1934 (32 of 1934), to the extent to which such duties have become leviable by reason of this Act,

as an addition to the contract price payable by him in respect of the goods so purchased.

*Explanation.*—In this section, “purchaser” shall not include any person in principal charge of the distribution in India of any of the goods referred to in sub-section (1) of section 3.

6. *Repeals.*— \* \* \* \*

(Section 6 repealed vide Act 58 of 1960)

RECEIVED ASSENT ON 11-9-58

THE ARMED FORCES (ASSAM AND MANIPUR)  
SPF AL POWERS ACT, 1958  
(28 OF 1958)

AN

ACT

to enable certain special powers to be conferred upon members of the armed forces in disturbed areas in the State of Assam and the Union territory of Manipur

BE it enacted by Parliament in the Ninth Year of the Republic of India as follows:—

1. *Short title and extent.*—(1) This Act may be called the Armed Forces (Assam and Manipur) Special Powers Act, 1958.

(2) It extends to the whole of the State of Assam and the Union territory of Manipur.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

- (a) “armed forces” means the military forces and the air forces operating as land forces, and includes any other armed forces of the Union so operating;
- (b) “disturbed area” means an area which is for the time being declared by notification under section 3 to be a disturbed area;
- (c) all other words and expressions used herein, but not defined and defined in the Air Force Act, 1950 (45 of 1950), or the Army Act, 1950, (46 of 1950), shall have the meanings respectively assigned to them in those Acts.

3. *Power to declare areas to be disturbed areas.*—If the Governor of Assam or the Chief Commissioner of Manipur is of the opinion that the whole or any part of the State of Assam or the Union territory of Manipur, as the case may be, is in such a disturbed or dangerous condition that the use of armed forces in aid of the civil power is necessary, he may, by notification in the Official Gazette, declare the whole or any part of the State or Union territory to be a disturbed area.

4. *Special powers of the armed forces.*—Any commissioned officer, warrant officer, non-commissioned officer or any other person of equivalent rank in the armed forces may, in a disturbed area,—

- (a) if he is of opinion that it is necessary so to do for the maintenance of public order, after giving such due warning as he may consider necessary, fire upon or otherwise use force, even to the causing of death, against any person who is acting in contravention of any law or order for the time being in force in the disturbed area prohibiting the assembly of five or more persons

or the carrying of weapons or of things capable of being used as weapons or of fire-arms, ammunition or explosive substances;

- (b) if he is of opinion that it is necessary so to do, destroy any arms dump, prepared or fortified position or shelter from which armed attacks are made or are likely to be made or are attempted to be made, or any structure used as a training camp for armed volunteers or utilised as a hide-out by armed gangs or absconders wanted for any offence;

- (c) arrest, without warrant, any person who has committed a cognizable offence or against whom a reasonable suspicion exists that he has committed or is about to commit a cognizable offence and may use such force as may be necessary to effect the arrest;

- (d) enter and search without warrant any premises to make any such arrest as aforesaid or to recover any person believed to be wrongfully restrained or confined or any property reasonably suspected to be stolen property or any arms, ammunition or explosive substances believed to be unlawfully kept in such premises, and may for that purpose use such force as may be necessary.

5. *Arrested persons to be made over to the police.*—Any person arrested and taken into custody under this Act shall be made over to the officer in charge of the nearest police station with the least possible delay, together with a report of the circumstances occasioning the arrest.

6. *Protection to persons acting under Act.*—No prosecution, suit or other legal proceeding shall be instituted, except with the previous sanction of the Central Government, against any person in respect of anything done or purported to be done in exercise of the powers conferred by this Act.

7. *Repeal and Savings.*— \* \* \*

(Section 7 repealed vide Act 58 of 1960)

Simla-4, the 6th October, 1958

No. LR-16-12/58.—The following Acts recently passed by the Parliament of India and already published in the Gazette of India, Extra-ordinary Part II, section 1, dated 16th September, 1958 are hereby republished in the Himachal Pradesh Administration Gazette for the information of the general public:—

1. The Working Journalists (Fixation of Rates of Wages) Act, 1958 (29 of 1958);
2. The Sugar Export Promotion Act, 1958 (30 of 1958)

LAKSHMAN DASS,  
Under Secretary. (Judicial).

Received Assent on 16-9-1958

THE WORKING JOURNALISTS (FIXATION OF RATES OF WAGES) ACT, 1958  
(29 OF 1958)

AN

ACT

to provide for the fixation of rates of wages in respect of working journalists and for matters connected therewith.

BE it enacted by Parliament in the Ninth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Working Journalists (Fixation of Rates of Wages) Act, 1958.

**2. Definitions.** —In this Act, unless the context otherwise requires,

- (a) "Committee" means the Committee constituted under section 3;
- (b) "prescribed" means prescribed by rules made under this Act;
- (c) "Wage Board" means the Wage Board constituted under the Working Journalists Act by notification No. S.R.O. 1075 of the Government of India in the Ministry of Labour, dated the 2nd May, 1956;
- (d) "Wage Board decision" means the decisions of the Wage Board published in the Gazette of India, Extra-ordinary, Part II, section 3, dated the 11th May, 1957;
- (e) "wages" means wages as defined in the Industrial Disputes Act, 1947 (14 of 1947);
- (f) "Working Journalists Act" means the Working Journalists (Conditions of Service) and Miscellaneous Provisions Act, 1955 (45 of 1955);
- (g) words and expressions used but not defined in this Act, and defined in the Working Journalists Act, shall have the meanings respectively assigned to them in that Act.

**3. Constitution of Committee.** (1) For the purpose of enabling the Central Government to fix rates of wages in respect of working journalists in the light of the Judgement of the Supreme Court, dated the 19th day of March, 1958, relating to the Wage Board decision, and in the light of all other relevant circumstances, the Central Government shall, by notification in the Official Gazette, constitute a Committee consisting of the following persons, namely:—

- (i) an officer of the Ministry of Law not below the rank of Joint Secretary, nominated by the Central Government, who shall be the Chairman of the Committee;
- (ii) three persons nominated by the Central Government from among the officers of each of the Ministries of Home Affairs, Labour and Employment and Information and Broadcasting;
- (iii) a chartered accountant nominated by the Central Government.

(2) If for any reason a vacancy (other than a vacancy by reason of temporary absence) occurs in the office of the Chairman or any other member of the Committee, the Central Government may appoint another person in accordance with the provisions of sub-section (1) to fill the vacancy, and the inquiry before the Committee may be continued from the stage which had been reached when the vacancy arose.

(3) The Central Government may appoint a Secretary to the Committee, and may also provide the Committee with such other staff as may be necessary.

(4) The Secretary shall perform such functions of a ministerial or other nature as the Committee or the Chairman thereof may assign or delegate to him.

**4. Functions of Committee.** —(1) The Committee shall, by notice published in such manner as it thinks fit, call upon newspaper establishments and working journalists and other persons interested in the Wage Board decision to make such representations as they may think fit as respects the Wage Board decision and the rates of wages which may be fixed under this Act in respect of working journalists.

(2) Every such representation shall be in writing and shall be made within such period not exceeding thirty days, as the Committee may specify in the notice, and shall state—

- (a) the specific grounds of objection, if any, to the Wage Board decision,

- (b) the rates of wages which in the opinion of the person making the representation, would be reasonable, having regard to the capacity of the employer to pay the same or to any other circumstance, whichever may seem relevant to the person making the representation in relation to his representation;
- (c) the alterations or modifications, if any, which, in the opinion of the person making the representation, should be made in the Wage Board decision and the reasons therefor.

(3) The Committee shall take into account the representations aforesaid, if any, and after examining the materials placed before the Wage Board and such further materials as have since been obtained by or made available to it under this Act, make such recommendations, as it thinks fit, to the Central Government for the fixation of rates of wages in respect of working journalists, whether by way of modification or otherwise, of the Wage Board decision; and any such recommendation may specify, whether prospectively or retrospectively, the date from which the rates of wages should take effect.

(4) In making any recommendations to the Central Government, the Committee shall have regard to all the matters set out in sub-section (1) of section 9 of the Working Journalists Act.

(5) The Committee may, if it thinks fit, take up for consideration separately groups or classes of newspaper establishments, whether on the basis of regional classification or on any other basis, and make recommendations from time to time in regard to each such group or class.

**5. Powers of Committee.** —(1) Subject to the provisions contained in sub-section (2), the Committee may exercise all or any of the powers which an industrial tribunal, constituted under the Industrial Disputes Act, 1947 (14 of 1947), exercises for the adjudication of an industrial dispute referred to it and shall, subject to the provisions contained in this Act and the rules, if any, made thereunder, have power to regulate its own procedure.

(2) Any representations made to the Committee and any documents furnished to it by way of evidence, shall be open to inspection on payment of such fee as may be prescribed, by any person interested in the matter.

(3) If in the course of any inquiry it appears to the Committee that it is necessary to examine any accounts or documents or obtain any statements from any person, the Committee may authorise any officer of the Central Government (hereinafter referred to as the authorised officer) in that behalf; and the authorised officer shall, subject to the directions of the Committee, if any, examine the accounts or documents or obtain the statements from the person.

(4) The authorised officer may, subject to the directions of the Committee, if any, exercise all or any of the powers which an industrial tribunal may exercise under sub-section (2) or sub-section (3) of section 11 of the Industrial Disputes Act, 1947 (14 of 1947).

(5) Nothing in sub-section (1) of section 54 of the Indian Income-tax Act, 1922 (11 of 1922), or in any corresponding provision in any other law for the time being in force relating to the levy of any tax shall apply to the disclosure of any of the particulars referred to therein in any report made to the Committee by an authorised officer.

(6) Any information obtained by an authorised officer in the exercise of any of his powers and any report made by him shall, notwithstanding anything contained in this Act, be treated as confidential, but nothing in this sub-section shall apply to the disclosure of any such information or report to the Central Government or to a

court in relation to any matter concerning the execution of this Act.

(7) The authorised officer shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code (45 of 1860).

**6. Power of Central Government to enforce recommendations of Committee.**—(1) As soon as may be, after the receipt of the recommendations of the Committee, the Central Government shall make an order in terms of the recommendations or subject to such modifications, if any, as it thinks fit, being modifications which, in the opinion of the Central Government, do not effect important alterations in the character of the recommendations.

(2) Notwithstanding anything contained in sub-section (1), the Central Government may, if it thinks fit,—

(a) make such modifications in the recommendations, not being modifications of the nature referred to in sub-section (1), as it thinks fit:

Provided that before making any such modifications, the Central Government shall cause notice to be given to all persons likely to be affected thereby in such manner as may be prescribed, and shall take into account any representations which they may make in this behalf in writing, or

(b) refer the recommendations or any part thereof to the Committee, in which case the Central Government shall consider its further recommendations and make an order either in terms of the recommendations or with such modifications of the nature referred to in sub-section (1) as it thinks fit.

(3) Every order made by the Central Government shall be published in the Official Gazette together with the recommendations of the Committee relating to the order, and the order shall come into operation on the date of publication or on such date, whether prospectively or retrospectively, as may be specified in the order.

**7. Working Journalists entitled to wages at rates not less than those specified in the order.**—Subject to the provisions contained in section 11, on the coming into operation of an order of the Central Government, every working journalist shall be entitled to be paid by his employer wages at a rate which shall in no case be less than the rate of wages specified in the order.

**8. Review of order of Central Government.**—The Central Government may, at any time after the expiry of three years from the date of the order passed by it under this Act, if it is of opinion that circumstances require that the rates of wages specified in the order should be revised, constitute a Wage Board as provided in section 8 of the Working Journalists Act, and where a Wage Board is so constituted, the provisions of the Working Journalists Act shall apply thereto.

**9. Recovery of money due to working journalists.**—(1) Where any amount is due under this Act to a working journalist from an employer, the working journalist may, without prejudice to any other mode of recovery, make an application to the State Government for the recovery of the money due to him, and if the State Government, or such authority as the State Government may specify in this behalf, is satisfied that any money is so due, it shall issue a certificate for that amount to the Collector, and the Collector shall proceed to recover that amount in the same manner as an arrear of land revenue.

(2) If any question arises as to the amount due under this Act to a working journalist from an employer, the State Government may, on its own motion or upon

application made to it, refer the question to any Labour Court constituted by it under section 7 of the Industrial Disputes Act, 1947 (14 of 1947), and the said Act shall have effect in relation to the Labour Court as if the question so referred were a matter specified in the second schedule to that Act which has been referred to the Labour Court for adjudication.

(3) The decision of the Labour Court shall be forwarded by it to the State Government which made the reference, and any amount found due by the Labour Court may be recovered in the manner provided in sub-section (1).

**10. Authentication of orders, letters, etc., of the Committee.**—All notices, letters, authorisations, orders or other documents to be issued or made by the Committee under this Act may be authenticated by the Chairman or the Secretary thereof or any other officer authorised by the Committee in this behalf and any notice, letter, authorisation, order or other document so authenticated shall be presumed to have been duly issued or made by the Committee.

**11. Effect of Act on Working Journalists Act, etc.**—(1) Sections 8, 10, 11, 12 and 13 of the Working Journalists Act shall have no effect in relation to the Committee.

(2) The provisions of this Act shall have effect notwithstanding anything inconsistent therewith in the terms of any award, agreement or contract of service, whether made before or after the commencement of this Act:

Provided that where under any such award, agreement, contract of service or otherwise, a working journalist is entitled to benefits in respect of any matter which are more favourable to him than those to which he would be entitled under this Act, the working journalist shall continue to be entitled to the more favourable benefits in respects of that matter, notwithstanding that he receives benefits in respect of other matters under this Act.

(3) Nothing contained in this Act shall be construed to preclude any working journalist from entering into any agreement with an employer for granting him rights or privileges in respect of any matter which are more favourable to him than those to which he would be entitled under this Act.

**12. Vacancies, etc., not to invalidate proceedings of Committee.**—No act or proceeding of the Committee shall be invalid merely by reason of the existence of any vacancy among its members or any defects in the constitution thereof.

**13. Power to make rules.**—(1) The Central Government may, by notification in the Official Gazette, make rules, to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for—

- (a) the manner in which notices under this Act may be published;
- (b) the procedure to be followed by the Committee in the exercise of its powers under this Act;
- (c) the powers and functions of the Committee which may be delegated to any of its members;
- (d) the fees to be paid for inspection of documents furnished to the Committee.

**14. \***  
(Section 14 repealed vide Act 58 of 1960).

RECEIVED ASSENT ON 16-9-1958  
**THE SUGAR EXPORT PROMOTION ACT, 1958**  
 (30 OF 1958)  
 AN  
 ACT

*to provide for the export of sugar in the public interest and for the levy and collection in certain circumstances of an additional duty of excise on sugar produced in India.*

Be it enacted by Parliament in the Ninth Year of the Republic of India as follows:—

1. *Short title and extent.*—(1) This Act may be called the Sugar Export Promotion Act, 1958.

(2) It extends to the whole of India.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) “export” means taking out of India by sea, land or air;

(b) “export agency” means any such agency as may be specified in this behalf under section 3, and when no such agency has been so specified, the Central Government;

(c) “export quota” means the export quota referred to in section 5;

(d) “factory” means any premises (including the precincts thereof) wherein sugar is being produced by the vacuum pan process;

(e) “owner”—

(i) with reference to any factory the possession of which has been transferred by lease, mortgage or otherwise, means the transferee so long as his right to possession subsists,

(ii) with reference to any factory for which an agent, by whatever name called, is employed, means the agent if, and in so far as, he has been duly authorised by the owner in that behalf, and

(iii) with reference to any factory the management of which has been taken over by any person or body of persons under the Industries (Development and Regulation) Act, 1951 (65 of 1951) means that person or body of persons;

(f) “sugar” means any form of sugar containing more than ninety per cent of sucrose;

(g) “year” means the year beginning on the first day of May.

3. *Export agency.*—(1) For the purposes of this Act, the Central Government may, by notification in the Official Gazette, specify as an export agency any company within the meaning of the Companies Act, 1956, (1 of 1956) or any body of persons established or recognised as a body corporate by or under any other law for the time being in force.

(2) Where any such company or other body corporate has been specified as an export agency, it shall be lawful for such agency to perform all or any of the functions of an export agency under this Act, notwithstanding anything to the contrary contained in the memorandum or articles of association of the company or, as the case may be, the law applicable thereto.

4. *Fixation of quantity of sugar for purposes of export.*—(1) The Central Government may, by notification in the Official Gazette, fix from time to time, the quantity of sugar which may be exported during any period, and, in fixing such quantity, the Central Government shall have regard to—

(a) the quantity of sugar available in India,

- (b) the quantity of sugar which, in its opinion would be reasonably required for consumption in India, and
- (c) the necessity for exporting sugar with a view to earning foreign exchange in the public interest.

(2) The power conferred by sub-section (1) shall be so exercised as to ensure that the quantity fixed under that sub-section for any year does not exceed in the aggregate twenty per cent of the quantity of sugar produced in India in the season ending with the month of October falling within that year.

5. *Export quotas for factories.*—The Central Government shall, by order in writing, apportion the quantity of sugar fixed from time to time for purposes of export under section 4 among the owners in proportion to the quantity of sugar produced, or likely to be produced, by them respectively during the season referred to in sub-section (2) of section 4, and such order shall be communicated to each of the owners, and the quantity so apportioned shall be deemed to be the export quota for the factory of that owner.

6. *Liability of owner to deliver export quota to export agency.*—(1) Every owner shall, on demand by the export agency, deliver to it from time to time sugar produced in his factory in such quantities (not exceeding in the aggregate his export quota fixed for the factory or group of factories, as the case may be), of such grade, in such manner, within such time and at such place, as may be specified by the export agency in this behalf.

(2) When sugar has been delivered by an owner in accordance with the provisions of sub-section (1), the owner shall retain no rights in respect of such sugar except his right to receive payment therefor under section 9.

7. *Levy of additional excise duty on sugar.*—(1) Where sugar delivered by any owner falls short of the export quota fixed for it by any quantity (hereinafter referred to as the said quantity), there shall be levied and collected on so much of the sugar despatched from the factory for consumption in India as is equal to the said quantity, a duty of excise at the rate of seventeen rupees per maund.

(2) The duty of excise referred to in sub-section (1) shall be in addition to the duty of excise chargeable on sugar under any other law for the time being in force, and shall be paid by the owner to such authority as may be specified in the notice demanding the payment of duty and within such period not exceeding ninety days as may be specified in such notice.

(3) If any such owner does not pay the whole or any part of the duty payable by him within the period referred to in sub-section (2), he shall be liable to pay in respect of every period of thirty days or part thereof during which the default continues a penalty which may extend to ten per cent of the duty outstanding from time to time, the penalty being adjudged in the same manner as the penalty to which a person is liable under the rules made under the Central Excises and Salt Act, 1944 (1 of 1944), is adjudged.

(4) The provisions of the Central Excises and Salt Act, 1944 (1 of 1944), and the rules made thereunder, including those relating to refunds and exemptions from duty, shall, so far as may be, apply in relation to the levy and collection of the duty of excise or any other sum referred to in this section as they apply in relation to the levy and collection of the duty on sugar or other sums of money payable to the Central Government under that Act or the rules made thereunder.

8. *Sale by export agency of sugar delivered.*—(1) The export agency shall take all practical measures to export sugar delivered to it under this Act:

Provided that, if the export agency is of opinion that having regard to the quality of the sugar delivered to it by any owner, or to the expenses involved in transporting the sugar from one place to another, or to the delay likely to be involved in exporting it, or to the conditions prevailing in the markets for sugar, whether in or out of India, or to any other relevant circumstance, it is expedient so to do, the export agency may sell the whole or any part of the sugar in India and may, if it thinks fit, purchase such quantity of sugar as it may consider necessary for export at the appropriate time.

(2) For the purposes of sub-section (1), the export agency may itself sell sugar or permit the owner to sell the whole or any part of the export quota in his custody at a price approved by it on condition that the sale-proceeds are payable to it.

**9. Payments to owners in respect of sugar delivered.**—(1) The export agency shall, at such time as it thinks fit, make to the owners who have delivered sugar to it under this Act, payments determined in accordance with the provisions hereinafter in this section contained.

(2) From the total sale-proceeds in respect of the quantity fixed for export under section 4 for any year, there shall be deducted the total expenditure incurred by the export agency in respect of the sugar, whether by way of administrative expenses or otherwise, and the balance shall be apportioned among the owners in proportion to the quantity of sugar delivered by them respectively during that year.

(3) In making any distribution under this section, the export agency shall make such adjustments as may be necessary having regard to the grade of sugar delivered by any owner, the adjustments being made on the basis of sugar of ISS-E-29 grade and with reference to the price differential schedule for different grades of sugar which the Central Government may, by notification in the Official Gazette, publish in this behalf.

(4) Notwithstanding anything contained in this section and subject to the rules which may be made in this behalf, the export agency may make on account payments to owners against documents of delivery of sugar furnished by them, and such payments shall be adjusted at the time of final payment.

**10. Power of Central Government to give directions.**—The export agency specified under section 3 shall be bound in the discharge of its functions under this Act, by such general or special directions, as the Central Government may give to it in writing.

**11. Delegation of powers.**—The Central Government may, by notification in the Official Gazette, direct that any power conferred on it by this Act shall, subject to such conditions, if any, as may be specified in the notification, be exercisable also by such officer or authority subordinate to the Central Government as may be specified in the notification.

**12. Protection of action taken under Act.**—No suit, prosecution or other legal proceeding shall lie against the export agency or the Central Government or any of its officers for or in respect of anything which is in good faith done or intended to be done in pursuance of this Act or any rule or order made thereunder.

**13. Power to make rules.**—(1) The Central Government, may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the submission by owners to such authority as

may be specified in this behalf, of returns or reports of other information relating to the manufacture, sale, despatch, stocks and prices of sugar;

- (b) the manner in which the accounts of the export agency may be maintained and audited;
- (c) the inspection of records and registers of factories and the export agency;
- (d) the making of payments by the export agency to owners; and
- (e) any other matter which is to be or may be prescribed under this Act.

(3) In making a rule under this section, the Central Government may direct that a breach thereof shall be punishable with fine which may extend to five thousand rupees.

(4) All rules made under this Act shall be laid for not less than thirty days before each House of Parliament as soon as may be after they are made and shall be subject to such modifications as Parliament may make during the session in which they are so laid or the session immediately following.

#### 14. Repeal and Saving. \* \* \*

(Section 14 repealed vide Act 58 of 1960)

*Simla-4, the 7th October, 1958*

**No. LR-16-12/58.**—The following Acts recently passed by the Parliament of India and already published in the Gazette of India, Extra-ordinary, Part II, section 1, dated 16th September and 22nd September, 1958 respectively are hereby republished in the Himachal Pradesh Administration Gazette for the information of the general public:—

1. The Public Premises (Eviction of Unauthorised Occupants) Act, 1958 (No. 32 of 1958).

LAKSHMAN DASS,  
Under Secretary (Judicial).

*Assented to on 16-9-58*

**THE PUBLIC PREMISES (EVICTION OF UN-AUTHORISED OCCUPANTS) ACT, 1958**  
(ACT NO. 32 OF 1958)

AN

ACT

*to provide for the eviction of unauthorised occupants from public premises and for certain incidental matters.*

BE it enacted by Parliament in the Ninth Year of the Republic of India as follows:—

**1. Short title and extent.**—(1) This Act may be called the Public Premises (Eviction of Unauthorised Occupants) Act, 1958.

(2) It extends to the whole of India.

**2. Definitions.**—In this Act, unless the context otherwise requires,—

- (a) "estate officer" means an officer appointed as such by the Central Government under section 3;
- (b) "public premises" means any premises belonging to, or taken on lease or requisitioned by, or on behalf of, the Central Government; and, in relation to the Union territory of Delhi, includes also—

(i) any premises belonging to the Municipal Corporation of Delhi or any municipal committee or notified area committee, and

(ii) any premises belonging to the Delhi Development Authority, whether such premises are in the possession of, or leased out by the said authority;

- (e) "premises" means any land or any building or part of a building and includes,—
  - (i) the garden, grounds and out-houses, if any, appertaining to such building or part of a building, and
  - (ii) any fittings affixed to such building or part of a building for the more beneficial enjoyment thereof;
- (d) "prescribed" means prescribed by rules made under this Act;
- (e) "unauthorised occupation", in relation to any public premises, means the occupation by any person of the public premises without authority for such occupation, and includes the continuance in occupation by any person of the public premises after the authority (whether by way of grant or any other mode of transfer) under which he was allowed to occupy the premises has expired or has been determined for any reason whatsoever.

**3. Appointment of estate officers.**—The Central Government may, by notification in the Official Gazette,—

- (a) appoint such persons, being gazetted officers of Government, as it thinks fit to be estate officers for the purposes of this Act; and
- (b) define the local limits within which, or the categories of public premises in respect of which, each estate officer shall exercise the powers conferred, and perform the duties imposed, on estate officers by or under this Act.

**4. Issue of notice to show cause against order of eviction.**

(1) If the estate officer is of opinion that any persons are in unauthorised occupation of any public premises and that they should be evicted, the estate officer shall issue in the manner hereinafter provided a notice in writing calling upon all persons concerned to show cause why an order of eviction should not be made.

(2) The notice shall—

- (a) specify the grounds on which the order of eviction is proposed to be made; and require
- (b) all persons concerned, that is to say, all persons who are, or may be, in occupation of or claim interest in, the public premises, to show cause, if any, against the proposed order on or before such date as is specified in the notice, being a date not earlier than ten days from the date of issue thereof.

(3) The estate officer shall cause the notice to be served by having it affixed on the outer door or some other conspicuous part of the public premises, and in such other manner as may be prescribed, whereupon the notice shall be deemed to have been duly given to all persons concerned.

(4) Where the estate officer knows or has reasons to believe that any persons are in occupation of the public premises, then, without prejudice to the provisions of sub-section (3), he shall cause a copy of the notice to be served on every such person by post or by delivering or tendering it to that person or in such other manner as may be prescribed.

**5. Eviction of unauthorised occupants.**—(1) If, after considering the cause, if any, shown by any person in pursuance of a notice under section 4 and any evidence he may produce in support of the same and after giving him a reasonable opportunity of being heard, the estate officer is satisfied that the public premises are in unauthorised occupation, the estate officer may, on a date

to be fixed for the purpose, make an order of eviction, for reasons to be recorded therein, directing that the public premises shall be vacated by all persons who may be in occupation thereof or any part thereof, and cause a copy of the order to be affixed on the outer door or some other conspicuous part of the public premises.

(2) If any person refuses or fails to comply with the order of eviction within forty-five days of the date of its publication under sub-section (1), the estate officer or any other officer duly authorised by the estate officer in this behalf may evict that person from, and take possession of, the public premises and may, for that purpose, use such force as may be necessary:

Provided that in the case of any such person who is not a Government employee and who has been in continuous occupation of the public premises for a period exceeding three years immediately preceding the date of the publication of the order of eviction, the estate officer shall not, if an application is made to him in this behalf, evict such person from the public premises within ninety days of such publication.

**6. Disposal of property left on public premises by unauthorised occupants.**—(1) Where any persons have been evicted from any public premises under section 5, the estate officer may, after giving fourteen days' notice to the persons from whom possession of the public premises has been taken and after publishing the notice in at least one newspaper having circulation in the locality remove or cause to be removed or dispose of by public auction any property remaining on such premises.

(2) Where any property is sold under sub-section (1), the sale proceeds shall, after deducting the expenses of the sale and the amount, if any, due to the Central Government on account of arrears of rent or damages, be paid to such person or persons as may appear to the estate officer to be entitled to the same:

Provided that where the estate officer is unable to decide as to the person or persons to whom the balance of the amount is payable or as to the apportionment of the same, he may refer such dispute to the civil court of competent jurisdiction and the decision of the court thereon shall be final.

**7. Power to recover rent or damages in respect of public premises as arrears of land revenue.**—(1) Where any person is in arrears of rent payable in respect of any public premises, the estate officer may, by order, require that person to pay the same within such time and in such instalments as may be specified in the order.

(2) Where any person is, or has at any time been, in unauthorised occupation of any public premises, the estate officer may, having regard to such principles of assessment of damages as may be prescribed, assess the damages on account of the use and occupation of such premises and may, by order, require that person to pay the damages within such time and in such instalments as may be specified in the order:

Provided that no such order shall be made until after the issue of a notice in writing to the person calling upon him to show cause within such time as may be specified in the notice why such order should not be made, and until his objections, if any, and any evidence he may produce in support of the same, have been considered by the estate officer.

(3) If any person refuses or fails to pay the arrears of rent or any instalment thereof payable under sub-section (1) or the damages or any instalment thereof payable under sub-section (2) within the time specified in the order relating thereto, the estate officer may issue a certificate for the amount due to the Collector who shall proceed

to recover the same as an arrear of land revenue.

**8. Power of estate officers.**—An estate officer shall, for the purpose of holding any inquiry under this Act, have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 (5 of 1908), when trying a suit, in respect of the following matters, namely:—

- (a) summoning and enforcing the attendance of any person and examining him on oath;
- (b) requiring the discovery and production of documents; and
- (c) any other matter which may be prescribed.

**9. Appeals.**—(1) An appeal shall lie from every order of the estate officer made in respect of any public premises under section 5 or section 7 to an appellate officer who shall be the district judge of the district in which the public premises are situate or such other judicial officer in that district of not less than ten years' standing as the district judge may designate in this behalf.

(2) An appeal under sub-section (1) shall be preferred—

- (a) in the case of an appeal from an order under section 5, within thirty days from the date of publication of the order under sub-section (1) of that section; and
- (b) in the case of an appeal from an order under section 7, within thirty days from the date on which the order is communicated to the appellant:

Provided that the appellate officer may entertain the appeal after the expiry of the said period of thirty days if he is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(3) Where an appeal is preferred from an order of the estate officer, the appellate officer may stay the enforcement of that order for such period and on such conditions as he deems fit.

(4) Every appeal under this section shall be disposed of by the appellate officer as expeditiously as possible.

(5) For the purposes of this section, a presidency town shall be deemed to be a district and the chief judge or the principal judge of the city civil court therein shall be deemed to be the district judge of the district.

**10. Finality of orders.**—Save as otherwise expressly provided in this Act, every order made by an estate officer

or appellate officer under this Act shall be final and shall not be called in question in any original suit, application or execution proceeding.

**11. Protection of action taken in good faith.**—No suit, prosecution or other legal proceeding shall lie against the Central Government or the appellate officer or the estate officer in respect of anything which is in good faith done or intended to be done in pursuance of this Act or of any rules or orders made thereunder.

**12. Delegation of powers.**—The Central Government may, by notification in the Official Gazette, direct that any power exercisable by it under this Act shall, subject to such conditions, if any, as may be specified in the notification, be exercisable also by a State Government or an officer of the State Government.

**13. Power to make rules.**—(1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) the form of any notice required or authorised to be given under this Act and the manner in which it may be served;
- (b) the holding of inquiries under this Act;
- (c) the procedure to be followed in taking possession of public premises;
- (d) the manner in which damages for unauthorised occupation may be assessed and the principles which may be taken into account in assessing such damages;
- (e) the manner in which appeals may be preferred and the procedure to be followed in appeals;
- (f) any other matter which has to be, or may be, prescribed.

(3) All rules made under this section shall, as soon as may be after they are made, be laid for not less than thirty days before each House of Parliament and shall be subject to such modifications as Parliament may make during the session in which they are so laid or the session immediately following.

**14. Repeal.** \* \* \*

(Section 14 repealed vide Act 58 of 1960).

## भाग 7—भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक अधिसूचनाएं तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं

### ELECTION DEPARTMENT

#### NOTIFICATION

Simla-2, the 28th August, 1970

**No. 6-22/67-Elec. II.**—The Election Commission's order No. HP-LA/41/67, dated the 30th July, 1970/ Sravana 8, 1892 (Saka), is hereby published for general information.

By order,

D. B. LAL,

Chief Electoral Officer, Himachal Pradesh.

### ELECTION COMMISSION OF INDIA ORDER

Talkatora Road,

New Delhi-1, 30th July, 1970/8th Sravana, 1892 (Saka)

**No. HP-LA/41/67.**—Whereas the Election Commission is satisfied that Shri Dalip Chand s/o Shri Bakshi, Village and Post Office Ladhwara, Tehsil and District Kangra, Himachal Pradesh, a contesting candidate for election to the Himachal Pradesh, Legislative Assembly from 41-Nurpur Assembly Constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the rules made thereunder;

2. And whereas, the said candidate even after due notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

3. Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Dalip Chand, to be disqualified for being chosen as and for being a member of either House of Parliament or of the Legislative Assembly or Legislative

Council of a State for a period of three years from the date of this order.

By order,  
ROSHAN LAL,  
*Secretary to the Election Commission of India.*

अनुपूरक  
(वेस्तिये पृष्ठ 799—803)

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**Daily Rainfall recorded at 72 Raingauge Stations in Himachal Pradesh for the  
month of February, 1968**

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## DAILY RAINFALL RECORDED IN HIMACHAL

District and Station	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th	14th	15th	16th	17th	18th	19th	20th	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
Bilaspur:																					
Bilaspur Sadar	—	—	—	—	—	—	2.6	—	2.1	—	—	—	—	—	7.2	—	—	—	—	—	
Ghumarwin	—	—	—	—	—	—	2.3	—	3.2	—	—	—	—	—	6.0	7.0	—	—	—	—	
Raghupathpura	—	—	—	—	—	—	2.6	—	1.9	3.2	—	—	—	—	4.2	5.0	—	—	—	—	
Bilaspur Obs.	—	—	—	—	—	—	2.5	—	2.0	2.9	—	—	—	—	3.2	9.0	—	—	—	—	
Chamba:																					
Chamba	—	—	—	—	—	—	—	30.4	23.2	—	—	—	—	—	—	8.8	4.8	—	—	1.6	
Ludrera*	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	19.1	
Chhatrari	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	4.2	
Bhandal	—	—	—	—	—	—	13.0	25.0	—	—	—	—	—	—	—	100.0	6.3	—	—	—	
Chowari	—	—	—	—	—	—	18.6	20.0	1.0	—	—	—	—	—	19.6	2.4	—	12.1	13.3	—	
Bathri	—	—	—	—	—	—	9.5	6.0	0.5	—	—	—	—	—	5.0	3.0	—	—	0.6	9.5	
Kalatop	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Bharmour	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Tissa	—	—	—	—	—	—	—	1.5	2.3	—	—	—	—	—	—	23.4	2.3	—	—	1.8	
Bhanota	—	—	—	—	—	—	22.9	25.4	6.3	—	—	—	—	—	—	12.7	7.6	—	—	2.5	
Kilar	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Kangra:																					
Palampur	—	—	—	—	—	—	—	3.0	5.0	—	—	—	—	—	—	14.0	18.4	—	—	4.0	
Hamirpur	—	—	—	—	—	—	—	0.5	—	0.1	—	—	—	—	—	0.1	0.4	—	—	—	
Dehra	—	—	—	—	—	—	5.0	—	—	—	—	—	—	—	13.0	2.0	—	—	15.0	—	
Kangra	—	—	—	—	—	—	—	6.1	0.5	—	—	—	—	—	—	14.5	5.0	—	—	2.0	
Dharamsala	—	—	—	—	—	—	—	10.0	6.0	—	—	—	—	—	—	15.7	21.3	—	—	3.0	
Nurpur	—	—	—	—	—	—	—	9.0	—	—	—	—	—	—	—	7.2	—	—	—	—	
Una	—	—	—	—	—	—	—	4.3	—	—	—	—	—	—	—	—	—	—	—	—	
Kulu:																					
Kuu	—	—	—	—	—	—	—	4.6	17.0	—	—	—	—	—	—	10.0	19.0	—	—	10.2	
Banjar	—	—	—	—	—	—	—	2.1	1.8	—	1.7	—	—	—	—	8.2	8.6	—	—	2.5	
Kinnaur:																					
Kilba	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	17.0	2.0	—	—	5.0	
Sangla	—	—	—	—	—	—	—	6.4	—	6.3	—	—	—	—	—	22.9	—	—	—	40.6	
Purbani	—	—	—	—	—	—	—	—	0.2	0.4	—	—	—	—	—	—	2.5	—	—	—	
Nichar	—	—	—	—	—	—	—	—	1.3	11.4	—	1.2	—	—	—	20.3	12.7	—	—	5.1	
Kalpa	—	—	—	—	—	—	—	—	3.8	—	—	2.5	—	—	—	—	35.6	3.8	—	—	—
Labaul and Spiti:																					
Keylong	—	N.R.	N.R.	N.R.	N.R.	6.0															
Kaza	—	N.R.	N.R.	N.R.	N.R.	—															
Mahasu:																					
Rampur	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	7.3	6.0	—	—	6.0
Rohru	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	22.1	3.4	—	—	25.0	
Jubbal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	25.0	—	—	—	10.0
Chopal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	7.0	—	—	—	—
Theog	—	—	—	—	—	—	—	—	R	R	—	—	—	—	—	—	1.0	—	—	—	—
Kumarsain	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1.4	0.3	—	—	0.4
Junga	—	—	—	—	—	—	—	—	3.4	—	0.5	—	—	—	—	6.3	—	—	—	—	
Kasumpti	—	—	—	—	—	—	—	—	4.6	5.0	0.2	—	—	—	—	—	14.4	2.8	—	—	—
Solan	—	—	—	—	—	—	—	—	R	R	—	—	—	—	—	—	14.0	—	—	—	R
Arki	—	—	—	—	—	—	—	—	1.0	1.0	2.0	—	—	—	—	—	12.0	R	—	—	25.0
Suni	—	—	—	—	—	—	—	—	0.3	4.1	1.3	—	—	—	—	—	—	9.2	5.4	—	—
Kotkhai	—	—	—	—	—	—	—	—	—	2.0	—	—	—	—	—	—	22.0	—	—	—	5.0
Bashla	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Khadrala	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Shillaroo	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Parala	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Kotgarh*	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	0.5	
Phancha	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Mashobra (Agromet)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	15.0	—	—	—	—

**PRADESH FOR THE MONTH OF FEBRUARY, 1968**

## DAILY RAINFALL RECORDED IN HIMACHAL

## **PRADESH FOR THE MONTH OF FEBRUARY, 1968**

Figures are given in millimetres. 2. 'R' denotes a fall so light as not to admit to measurement.

प्रबन्धक, हिमाचल प्रदेश शासन मुद्रणालय, शिमला-३ द्वारा मुद्रित तथा प्रकाशित।